

GAINEY McKENNA & EGLESTON

ATTORNEYS AT LAW
e-mail: info@gme-law.com

95 ROUTE 17 SOUTH
SUITE 310
PARAMUS, NEW JERSEY 07652
TEL: (201) 225-9001
FAX: (201) 225-9002

Please Reply to Paramus Address

440 PARK AVENUE SOUTH
FIFTH FLOOR
NEW YORK, NEW YORK 10016
TEL: (201) 225-9001
FAX: (201) 225-9002

Please Reply to Paramus Address

March 6, 2017

VIA ECF

Magistrate Judge Douglas E. Arpert
Clarkson S. Fisher Federal Building
& U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: Plaintiffs' Proposed Form of Order (as directed by
Judge Arpert in his February 17, 2017 Order)
Fenwick, et al. v. Ranbaxy
Case No.: 12-CV-07354-PGS-DEA
Our File No.: 170.187

Dear Honorable Judge Arpert:

Our law firm represents the plaintiffs in the captioned class action case. This letter will supplement our submission of Friday, March 3rd, concerning the proposed form of Order.

We received the defendants' submission of today's date to Your Honor about the dispute concerning the proposed form of Order. Now that the defendants' position has been laid out in greater detail, we are willing to accept the parts of their proposed form of Order concerning the plaintiffs' supplemental interrogatory answers and discovery responses. We don't agree 100% with the defendants' interpretation of the rulings but, in the spirit of cooperation, we are willing to accept their version as relates to the plaintiffs' supplemental answers and responses in order to save you the time that you would spend on that issue.

We inserted the three sub-paragraphs from their proposed form of Order concerning the plaintiffs' supplemental answers and responses into our version of the proposed form of Order. The three sub-paragraphs were numbers 1.c. through 1.e in their proposed order. They are sub-paragraphs 2.a. through 2.c. in our new proposed form of Order.

Our new proposed form of Order is attached. It supersedes the one we submitted to you on Friday, March 3rd. As noted above, it includes the exact provisions that the defendants requested concerning the plaintiffs' supplemental interrogatory answers and discovery responses. As such, you do not need to address that issue.

As for the dispute concerning the defendants' discovery obligations based on the January 9th conference, our proposed form of Order has not been revised. We believe that it is clear that you directed them to provide the discovery described in our proposed form of Order.

We informed the defendants that we are accepting their provisions concerning the plaintiffs' supplemental answers and responses. We also advised them that we are submitting a new version of our proposed form of Order to you. We hope that they will accept this version. We would have waited to hear from them but we did not want you to make a decision without seeing our new version of the proposed form of Order, which incorporates the relief requested by both sides concerning the discovery from the other side.

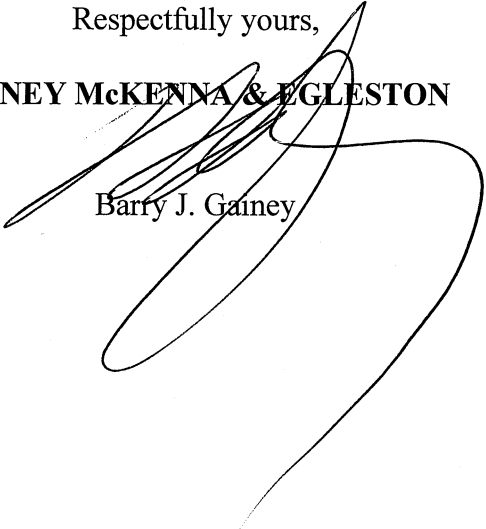
We request that you sign the new proposed form of Order that is attached to this letter.

Thank you for your time and consideration in this matter.

Respectfully yours,

GAINEY McKENNA & EGGLESTON

Barry J. Gainey

A large, stylized handwritten signature in black ink, which appears to be 'Barry J. Gainey', is written over the typed name and extends upwards into the 'Respectfully yours,' line.

BJG/dxg

cc: Defense Counsel
(Via ECF)